

translation

## PATENT COOPERATION TREATY



## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

10/511536

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002P05101WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/001118	International filing date (day/month/year) 04 April 2003 (04.04.2003)	Priority date (day/month/year) 16 April 2002 (16.04.2002)
International Patent Classification (IPC) or national classification and IPC H04L 29/10		
Applicant	SIEMENS AKTIENGESELLSCHAFT	

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand 10 November 2003 (10.11.2003)	Date of completion of this report 20 August 2004 (20.08.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/001118

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

- the international application as originally filed  
 the description:

pages \_\_\_\_\_ 1-17 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

- the claims:
- pages \_\_\_\_\_ 1-14 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19)  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

- the drawings:
- pages \_\_\_\_\_ 1/1 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

- the sequence listing part of the description:
- pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.  
 These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).  
 the language of publication of the international application (under Rule 48.3(b)).  
 the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority in written form.  
 furnished subsequently to this Authority in computer readable form.  
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4.  The amendments have resulted in the cancellation of:

- the description, pages \_\_\_\_\_  
 the claims, Nos. \_\_\_\_\_  
 the drawings, sheets/fig \_\_\_\_\_

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE 03/01118

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	14	YES
	Claims	1-13	NO
Inventive step (IS)	Claims		YES
	Claims	1-14	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

## 2. Citations and explanations

This report refers to the following document:

D1: US 2002/012329 A1 (ATKINSON TIMOTHY ET AL.) 31

January 2002 (2002-01-31)

D2: US-A-5 367 563 (SAINTON JOSEPH B) 22 November

1994 (1994-11-22).

The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1-12 is not novel within the meaning of PCT Article 33(2) and the subject matter of claim 14 does not involve an inventive step within the meaning of PCT Article 33(3).

Document D1 discloses (the references in parentheses relate to this document):

telecommunications module (page 2, right-hand column, lines 29-31) comprising system data processing means for carrying out at least one telecommunication activity, in particular for setting up and/or establishing and/or executing and/or monitoring and/or terminating a telecommunication connection (page 2, right-hand column, line 59), control data processing means for automatic execution of at least one control instruction sequence stored in the telecommunications module (page 2, right-

hand column, lines 13-17), the at least one control instruction sequence being designed such that when it is executed it initiates the at least one telecommunication activity of the system data processing means (page 2, right-hand column, lines 17-19), and a first connecting means for connecting the telecommunications module with an external electronic device (page 2, right-hand column, line 42).

Therefore, claim 1 is not novel within the meaning of PCT Article 33(2).

The same argument applies analogously to independent claim 7.

Document D1 further discloses (the references in parentheses relate to this document): telecommunications module according to claim 1 characterized in that through the first connecting means, the control instruction sequence is set up (paragraph [0022]) and/or modified (paragraph [0022]) and/or can be set up (paragraph [0022]), modified and/or deleted (paragraph [0022]) by the external electronic device.

Claims 6, 8 and 12 are therefore not novel within the meaning of PCT Article 33(2).

Dependent claims 2-5, 9-11, 13 and 14 do not contain any features which in combination with the features of any claim to which they relate meet the PCT requirements in respect of novelty or inventive step - see documents D1, D2 and the relevant passages indicated in the search report.